

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 11, 1999 LB 134

CLERK: Mr. President, LB 134, introduced by Senator Dwite Pedersen. (Read title.) Bill was introduced on January 7, referred to Judiciary, advanced to General File. I have no amendments to the bill.

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. Senator Pedersen, before we begin, let me announce that you have the following guests here visiting the Legislature: Tim Callahan from Omaha; Michael Pedersen also from Omaha, your nephew. And then some special guests from Austria: Margarete Ebner, Michaela Ebner, and Alena Ebner. If you would rise, we'd like to recognize you and welcome you to the Nebraska Legislature. Okay, Senator Pedersen, we'll recognize you to open on LB 134.

SENATOR DW. PEDERSEN: Thank you, Mr. Lieutenant Governor. Members of the Legislature, LB 134 simply provides that if an employer allows a certain amount of time off with pay, either sick leave or vacation leave, for an employee having a baby the natural way, they must also allow the same amount of time for a person adopting a baby. They must offer the same leave on the same terms. I believe this is only fair. There are some exceptions to this requirement for leave benefits. Such leave would not have to be provided if the adoptee was a special needs child over the age of 18, a child over the age of 8, a stepchild, a foster child, or a child originally under voluntary placement for purposes other than adoption. Current federal law requires employers to provide all employees with 12 weeks of unpaid family medical leave for the birth of a child or for adoption of a child. This bill has nothing to do with that. It is to ensure equal treatment for employees, whether they are the birth parents or the adoptive parents. If an employee only allows two weeks paid leave for a natural birth, then an employee who adopts would only be allowed...employer, excuse me, allows only that amount of two weeks paid leave for natural birth, then the employee who adopts would only be allowed the two weeks leave. However, if an employee is allowed six weeks paid leave for the natural birth of a baby, then an employee who adopts would also be given six weeks under the terms of this bill. If the employer does not authorize paid leave for the birth of a child, then the family leave bill would kick in and the employee would be allowed to take unpaid leave up to the 12